

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

HARDI NORTH AMERICA, INC.

PLAINTIFF

v

CIVIL ACTION NO.: 4:18-cv-83-JMV

CHARLES JOSEPH SCHINDLER, II, *ET AL.*

DEFENDANTS

ORDER

This matter is before the Court on plaintiff Hardi North America Inc.'s (hereinafter "Hardi" or "supplier") [60] motion for summary judgment against Charles Joseph Schindler II for a lump sum judgment in the amount of \$1,471,742.98 together with attorney's fees and interest at \$439.06 per day from and after September 1, 2018, through the date of judgment, as well as post-judgment interest and costs, as the guarantor of the Dealer Agreement between Delta Southern Chemical Company, LLC and Hardi North America. The motion will be DENIED as no such indebtedness has been established as owing from Delta Southern Chemical Company, LLC. See, Order [94] Should plaintiff wish to seek a partial summary judgment on the Guarantee, it will need to file a motion for the same, setting forth the grounds therefore.

SO ORDERED this 28th day of January, 2019.

/s/ Jane M. Virden

UNITED STATES MAGISTRATE JUDGE